IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 18TH OCTOBER 2007 / 26TH ASWINA 1929

WP(C).No. 30932 of 2007(G)

PETITIONER:

THE MANAGING DIRECTOR, KERALA STATE ROAD TRASPORT CORPORATION, THIRUVANANTHAPURAM REPRESENTED BY DEPUTY LAW OFFICER, SRI. RANJITH JOSEPH.

BY ADV. SRI.K.PRABHAKARAN, SC, K.S.R.T.C.

RESPONDENTS:

SRI. RAJALAKSHMI AMMAL, VARICKAMAKAL HOUSE, KUDAYATHOOR P.O., THODUPUZHA - 685590.

BY ADV.SRI.N.ANANTHARAJAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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W.P.(c).No. 30932 OF 2007

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Dated this the 18th day of October, 2007

JUDGMENT

Husband of the first respondent committed suicide few days prior to the retirement. The first respondent has approached the Lok Ayuktha and obtained Ext.P3 order. This is challenged by the Corporation. The matter is settled in favour of the petitioner Corporation by virtue of the decision in W.P.(C)No.19040/07. However, I feel that the first respondent has pointed out the marriage of the daughter as a ground.

I heard learned counsel for the respondent also. Petitioner is entitled to the declaration in terms of prayer No.2. Accordingly, I grant prayer No.2. I feel that the respondent has made out a case for deviation from the principle of seniority. Accordingly I quash Ext.P3 and there will be a direction to the petitioner to pay to the respondent the amount due as DCRG and the pay revision arrears deposited in the PF account within a period of one month from the date of receipt of a copy of this judgment.

(K.M.JOSEPH, JUDGE)

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